

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X
In re:

Chapter 11

ABERDEEN ENTERPRISES, INC.,
BRICKCHURCH ENTERPRISES, INC.,

Case No. 23-72834-ast
Case No. 22-70914-ast

Debtors.

Jointly Administered
-----X

**AMENDED ORDER SCHEDULING A CONCURRENT HEARING TO CONSIDER
APPROVAL OF THE DEBTORS' JOINT DISCLOSURE STATEMENT AND
CONFIRMATION OF THE DEBTORS' JOINT PLAN OF REORGANIZATION AND
THE MOTION TO DISMISS CASE, OR IN THE ALTERNATIVE MOTION TO
CONVERT CASE CHAPTER 11 TO 7, OR IN THE ALTERNATIVE MOTION TO
APPOINT TRUSTEE FILED BY UNITED STATES TRUSTEE
AND MOTIONS TO DISMISS FILED BY BAY POINT CAPITAL PARTNERS II, L.P**

Aberdeen Enterprises, Inc. ("Aberdeen") and Brickchurch Enterprises, Inc. ("Brickchurch") (each a "Debtor", and collectively, the "Debtors") appeared before the Court on August 23, September 13, and November 1, 2023, seeking approval of the Debtors' Amended Joint Disclosure Statement ("DS") and the Debtors' Amended Joint Plan of Reorganization ("Plan"). [dkt items 76, 77]

Bay Point Capital Partners II, L.P. also appeared at those hearings in connection with the DS and Plan, as well as in connection with its Motions to Dismiss (the "Bay Point Motion"). [dkt items --]

On November 21, 2023, the United States Trustee filed a Motion to Dismiss Case, or in the alternative Motion to Convert Case Chapter 11 to 7, or in the alternative Motion to Appoint Trustee ("UST Motion"). [dkt item 99]

On November 22, 2023, this Court entered its Order Approving Bid Procedures [dkt item 104]. That Order provides, *inter alia*, that "unless the Debtors consummate a Private Sale prior to January 24, 2024, the Debtors shall offer the Properties for Sale through the Auction Process that

results in a determination of the highest and best bid for the Properties by January 24, 2024.” That Order further provides that if a “party-in-interest files an objection to the consummation of the Sale of the Properties on or before on January 24, 2024 at 4:00 p.m. (Eastern), the Court shall hold a hearing on February 13, 2024 at 10:00 a.m.”

In accordance with, *inter alia*, Bankruptcy Rule 1001 governing the just, speedy and economic administration of all bankruptcy cases, it is hereby.

ORDERED, that concurrent hearings to consider approval of the adequacy of the DS, confirmation of the Plan, the Bay Point Motion, and the UST Motion shall be held **IN PERSON** before the Honorable Alan S. Trust, Chief Judge of the United States Bankruptcy Court for the Eastern District of New York, 290 Federal Plaza, Courtroom 960, Central Islip, NY 11722 on **January 17 , 2024 at 10:00 a.m.** (the “Hearing”); and it is further

ORDERED, that notwithstanding the adjournment of all other matters to January 17, 2024, the Status Conference [dkt item 19] and the Motion to Withdraw as Attorney [dkt item 93] will be heard **VIA ZOOM** before the Honorable Alan S. Trust, Chief Judge of the United States Bankruptcy Court for the Eastern District of New York, 290 Federal Plaza, Courtroom 960, Central Islip, NY 11722 on **December 20 , 2023 at 10:30 a.m.** and it is further


ORDERED, that any further the Revised DS and/or Revised Plan shall be filed no later than **December 20, 2023**, and served together with all exhibits, to the United States Trustee, all persons who filed requests for the notice with the Clerk of the Court, and all creditors either listed by the Debtors in their bankruptcy schedules, or who filed proofs of claim with the Clerk of the Court; and it is further

ORDERED, that objections, if any, to approval of the adequacy of any Revised DS and/or confirmation of any Revised Plan shall be filed and served no later than **January 10, 2024**; and it is further

ORDERED, that Debtors shall file any supplemental supporting declarations and any revised Ballot tabulation with the Clerk of the Court no later than **January 10, 2024**.

Dated: November 29, 2023
Central Islip, New York




Alan S. Trust
Chief United States Bankruptcy Judge